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PART I—Section 1

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MINISTRY OF COMMERCE

PUBLIC NOTICE

IMPORT/TRADE CONTROL

New Delhi, the 14th September, 1964

SUBJECT.—*Import of Capital goods etc., from USA under AID Loan No. DLF. 157.*

No. 76-ITC(PN)/64.—Import licences for Capital Goods etc., against US-AID Loan No. DLF. 157 have been issued from time to time subject to the terms and conditions communicated individually to the importers concerned and accepted by them. One of these conditions is in regard to the United States of America source and origin of the goods. It has been decided that the following definition of United States source and origin shall apply to procurement under the subject loan:—

“Goods shall be considered to be of U.S. source and origin when:—

- (a) Such goods are shipped from a United States port, or from a free port or bonded warehouse if shipped from said port or bonded warehouse in the form in which received when shipped there from a United States port;
- (b) Such goods are mined, grown, or produced through manufacturing, processing, or assembly in the United States;
- (c) Not more than 10 per cent of the lowest price (excluding ocean transportation and marine insurance) at which the supplier makes the goods available for export sale represents the cost (delivered to point of production) of imported components;
- (d) All imported components of such goods were imported from certain free-world countries (AID Geographic Code 899); and
- (e) Neither the commodity nor the transaction may be one which is prohibited by the Foreign Assets Control Regulations (Communist China).”

This definition shall apply to all orders placed on or after the 1st October, 1964 against licences under AID Loan No. DLF 157.

2. In respect of orders placed on or after the 1st October, 1964, for goods to be imported against the Import Licences under AID Loan No. DLF. 157, the importer shall ensure that the U.S. supplier attaches to or endorses on each invoice

presented for payment a certificate on source and origin as in the form reproduced below:—

Certificate of Source and Origin

"I (We) hereby certify that the 'Source' (as defined by AID) of the commodities listed on the attached invoice or invoiced herein is as shown below and in the source block of the AID suppliers' certificate form and that such invoiced commodities were mined, grown, or produced in a country or countries covered by AID Geographic Code (Insert the Geographic Code number specified by the Importer).

"I (We) further certify, that to the best of my (our) information and belief, respect to any produced commodity invoiced (a) the cost of components (delivered to point of production) acquired by the producer of the commodity in the form in which imported into the country of production from free-world countries other than countries covered by AID Geographic Code (Insert the Geographic Code number specified by the Importer), does not exceed in total cost 10 per cent of the lowest price (excluding the cost of Ocean transportation and marine insurance) at which I (We) make the commodity available for export sale (Whether or not financed by AID), and (b) the produced commodity does not contain any components imported from countries not included under AID Geographic Code 899 or prohibited by the Foreign Assets Control (FAC) or Cuban Assets Control (CAC) Regulations of the U.S. Treasury Department, or (c) if AID has excepted the Commodity from any of the foregoing requirements, the commodity meets all conditions specified by AID in connection with such exception.

"I (We) understand that a false certification made herein may be punishable by law.

"Source of Commodities
 Authorised Signature of Supplier
 Title
 Date"

The above certificate must be signed by the supplier or his authorised representative. The invoices with certificates of source and origin duly endorsed on or attached to them should be submitted by the Importer alongwith other documents to the Ministry of Finance (Department of Economic Affairs), New Delhi.

3. Public Notice No. 33-ITC(PN)/64 dated the 21st April, 1964, issued earlier on the subject shall be treated as cancelled.

P. SABANAYAGAM,
 Chief Controller of Imports and Exports.